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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/032,715	01/02/2002	Kazunori Abe	OGA-187-USAP	5384

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EXAMINER

VO, TUNG T

ART UNIT	PAPER NUMBER
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2613

DATE MAILED: 09/10/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/032,715

Applicant(s)

ABE, KAZUNORI

Examiner

Tung T. Vo

Art Unit

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-2 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over (US 5,374,953) in view of Nakamura et al. (US 5,614,943).

Re claims 1 and 2, Sasaki teaches an electronic endoscope apparatus (fig. 17), including a first electronic endoscope having a first imaging device (117a of fig. 17); wherein the electronic endoscope having a second imaging device of which pixel density is different from that of said first image device (117 b of fig. 17, note when the image is abnormal), and having a second drive pulse generation circuit (122b of fig. 17) for generating drive pulses to drive the second imaging device; and

a processor unit (110 of fig. 17) for connecting said first or second electronic endoscope, wherein the processor unit comprises:

a first drive pulse generation circuit (122a of fig. 17) for generating drive pulses to drive said first imaging device;

a selection circuit (132 of fig. 17) for activating the second drive pulse generation circuit when said second electronic endoscope is connected;

a synchronization circuit (126 of fig. 17) for forming synchronizing signals which are synchronous with the drive pulse of said second drive pulse generation circuit; and

a signal processing circuit (128 of fig. 17) for performing image processing on the output signal from said first imaging device when said first electronic endoscope is connected, and for performing image processing on the output signal from the second imaging device by inputting the synchronizing signals from said synchronization circuit when the second electronic endoscope is connected (see also col. 13, line 53- col. 15, line 52).

It is noted that Sasaki does not particularly disclose a second endoscope and a determination circuit for automatically determining the type of the electronic endoscope which is connected to said processor unit is provided, and said selection circuit and synchronization circuit are operated based on the determination of the determination circuit as claimed.

However, Nakamura teaches a second endoscope (2B of fig. 1(b))) and a determination circuit (4, CCU, of fig. 1(a), note CCU (4) automatically determines the first endoscope 2A and the second endoscope 2B) for automatically determining the type of the electronic endoscope which is connected to said processor unit is provided, and said selection circuit and synchronization circuit (128 and 24 of fig. 16) are operated based on the determination of the determination circuit.

Taking the combined teachings of Nakamura and Sasaki as a whole, it would have been obvious to one of ordinary skill in the art to incorporate the teachings of Nakamura into the system of Sasaki for the purpose of automatically determining the first or second endoscope. Doing so would provide the arrangement of the system that can be simplified, and reception, conveyance, operability and so on are improved as suggested by Nakamura.

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Conclusion

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Matsui (US 6,669,629) discloses endoscope system comprising an electrically bendable endoscope.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tung T. Vo whose telephone number is (703) 308-5874. The examiner can normally be reached on 6:30 AM - 3:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris. Kelley can be reached on (703) 305-4856. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Primary **TUNG T. VO**
PATENT EXAMINER

T.Vo

Tung T. Vo
Primary Examiner
Art Unit 2613